

**Draft Summary of Cultural Resources Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
November 12, 2002**

The Department of Water Resources (DWR) hosted the Cultural Resources Work Group meeting on November 12, 2002 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	Flip Chart Notes
Attachment 4	October 2002 Update
Attachment 5	Replacement first page to Cultural Resources Inventory Work Plan
Attachment 6	Cultural Resources Management Plan, Rough-Draft Outline

Introduction

Attendees were welcomed to the Cultural Resources Work Group meeting and objectives were discussed. The meeting agenda and a list of meeting attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively. Flip chart notes recorded during the meeting are provided as Attachment 3.

Action Items – September 17, 2002 Cultural Resources Work Group Meeting

A summary of the September 17, 2002 Cultural Resources Work Group meeting is posted on the project web site. The Facilitator reviewed the status of action items from that meeting as follows:

Action Item #C43: Distribute Work Group summary for October.
Status: Janis Offermann, DWR Resource Area Manager for Cultural Resources, distributed by mail and/or via e-mail a summary for October. She had extra copies available for those who had not received the update (Attachment 4 to this summary). She also distributed a replacement first page for the Cultural Resources Inventory Work Plan that corrects an error included on the original page (Attachment 5 to this summary).

Study Implementation Update

Michael Delacorte with the consulting team gave an update on the progress of inventory efforts. He announced that the fluctuation zone inventory would be completed next week. He explained that in-depth recording was required for some sites so the crews would be re-visiting those identified during the initial survey. He also noted that a total of 693 sites had been identified - 233 prehistoric sites, 403 historic sites, and 57 multicomponent sites. The field staff recorded 154 previously identified sites and 539 newly identified sites.

Eric Ritter asked how many of the new prehistoric sites have sub-surface deposits. Michael responded that the consulting team expects to be able to provide more detailed information to answer that question in a few weeks. He added that, in his opinion, a number of sites appear to contain some sub-surface deposits, but a large percentage will not include any substantial sub-surface deposits.

Mark Selverston with the consulting team provided a slide presentation highlighting the types of historic and prehistoric resources identified in the study area as well as a visual overview of the

Area of Potential Effects (APE). One participant asked if historic artifacts had been collected, and whether they remain in the area, or if they were left in place. Mark responded that the historic artifacts were all documented in the field and left in place. Another participant asked if the artifacts would eventually be housed in a museum after all studies were completed. Mark answered that the Cultural Resources Management Plan that would address the handling and eventual disposition of the artifacts was still to be developed and reminded the participants that the Cultural Resources Work Group had discussed the desire for some type of educational facility early on in the relicensing process. He added that very limited collection of prehistoric artifacts occurred during the site survey work, and that these materials were being kept in the Oroville area.

Eric Ritter representing BLM asked if the consultants felt that the transect spacing used for the survey was adequate. Both Michael and Mark responded that they felt the spacing was more than adequate in the fluctuation zone due to clear visibility and appropriate for the work outside the fluctuation zone at the higher elevations where the crews encountered brush and dense vegetation.

One participant asked if the prehistoric sites in the fluctuation zone contain human remains. Michael answered that there was no way to be certain of this possibility based on the surface inventory efforts. Because of erosion and lack of sediment, it is less likely that one would expect to encounter human remains within the fluctuation zone, although he was aware of two instances where suspected human bone fragments were identified. Other sites within the fluctuation zone, particularly those with apparently deeper deposits, may contain human remains. Michael described various types of human habitation evidence identified during the survey work including grinding rocks, midden sites, and rock art. Eric Ritter suggested that any rock art encountered during the surveys be measured and accurately recorded. Michael responded that all such sites identified are being accurately recorded and described including their locations using a global positioning system (GPS).

Helen McCarthy, ethnography study lead with the consulting team, added that Maidu village sites have been identified within and in the vicinity of the APE. One participant asked if the number of village sites was more than Fritz Riddell identified. Helen answered that the numbers seem to be consistent with previous researchers' reporting; however they are still verifying the sites with the archival data. One participant asked how the sites would be dated. Michael answered that various methods can be used, including the use of obsidian dating techniques where applicable, and with some additional work the team should be able to at least provide a relative timeframe for the sites. He added that preliminary evidence indicates the majority of the sites date from the last 1500 years, but that there are clearly some older materials. Michael Delacorte also added that there appears to be an interesting spatial distribution for the prehistoric sites within the different forks of the reservoir.

Maidu Advisory Council Update

Art Angle provided the Work Group with an update of Maidu Advisory Council activities. He introduced Debbie Edwards as the new Tribal Legacy Coordinator representing Mooretown Rancheria. He explained that the Council has identified ongoing impacts to sensitive areas from recreational activities within the fluctuation zone at three locations including Foreman Creek, which is currently the only available boat launch site on the reservoir. Public access to the other two sensitive locations has been closed. He explained that the Council's desire is that the gates to these locations be locked and access controlled until the water level rises again, and that position had been provided to the Department of Parks and Recreation (DPR) and DWR. The response by DPR has been to allow continuing access to Foreman Creek, but to install signs directing the public to limit access to the paved areas. DPR added increased patrols, however it was not known if this protection measure could continue. Various members of the Maidu Advisory Council and

Tribal Legacy Coordinators present at the Work Group meeting expressed their disappointment at the solutions proposed by DPR and the disrespect to culturally sensitive areas. They indicated that they would, at least, like to see a patrol person provided for daylight hours with nightly gate closures.

Eric Ritter asked if a tribal site steward could be used. Art responded that tribal members were already trying to routinely patrol the area. He also told the Work Group that a letter had been forwarded from the Tribal Legacy Coordinators to Governor Gray Davis and Mary Nichols, head of the Resources Agency, stating their desires regarding this situation. The participants also discussed future recreation facilities that may be associated with the relicensing and the potential to relocate the Foreman Creek boat launch site away from sensitive areas. The Facilitator suggested that the Recreation and Socioeconomics Work Group be reminded of the need to consider sensitive cultural resource areas during development of their Recreation Management Plan and the constraints these sensitive sites impose on proposed future recreation facilities. Patty Reece-Allen indicated that she would participate in the next Recreation and Socioeconomics Work Group to update those participants on the current situation and future considerations needed during the relicensing process.

Lorrie Frazier asked how people could launch boats and park vehicles on sacred grounds, and how the situation at Foreman Creek could be allowed to continue.

One participant asked for an update on the repatriation and reburial of Native American remains removed at the time the Oroville Project was constructed. Art Angle responded that the Maidu Advisory Council has identified a potential re-burial site near Foreman Creek for consideration and discussions were continuing with DWR and DPR.

The next Maidu Advisory Council meeting is scheduled for December 4th, 2002.

Management Plan Discussion

Steve Heipel distributed and reviewed a document titled "Cultural Resources Management Plan, Rough-Draft Outline" included as Attachment 6 to this summary. He stressed that the goal of the Plan outline is to solicit input from agencies and participants. He explained that the outline has been drawn from the FERC Guidelines and other similar documents used for other relicensing processes, and that the outline is a conceptual framework for consideration. He indicated that modifications would occur throughout the next year as the participants discuss development of the Plan.

One participant asked if there would be periodic reviews of the Plan throughout the term of the new license. Steve answered that there is a standard procedure for regular review and updates of the Plan if necessary. He added that the Plan becomes part of the license and is enforceable by FERC. As such, he also emphasized the importance of taking future project operations into consideration in developing a meaningful Cultural Resources Management Plan.

One participant asked about the timetable for completing the Plan. Steve answered that the deadline for submitting the relicensing application to FERC is January 2005. He explained that at the time of the draft application the Cultural Resources Management Plan can be less than complete, but of course it would be preferable for the Plan to be as complete as possible. He added that if agreements are reached regarding components of the Plan, those could be implemented before the license application was submitted. However the Plan is not enforceable by FERC until the new license is issued.

One participant asked if the Cultural Resources Work Group would develop the Plan. Steve responded that a draft Plan would be primarily developed in consultation with agencies and the Maidu Advisory Council and then presented for review and concurrence to the Work Group participants.

One participant asked if the APE is adequately established or should be expanded. Steve reminded the participants that the APE currently being used is the existing Project Boundary however it may be modified in the future if appropriate.

Next Meeting and Next Steps

The Facilitator asked the participants if the recent schedule of meeting every other month with written summaries provided in between was working for everyone. The participants agreed that the December Cultural Resources Work Group meeting should be replaced with a written summary. The Group tentatively agreed that the next Work Group meeting be held in January, with acknowledgement that we may defer to a February date depending on progress made on the Cultural Resources Management Plan and topics related to archaeological site evaluation efforts. The December summary will be mailed to the Cultural Resources Work Group participants. The next Cultural Resources Work Group meeting is currently scheduled to be:

Date: January 21, 2003
Time: 5:30 – 8:30 p.m.
Location: To be determined

Action Items

The following list of action items identified by the Cultural Resources Work Group includes a description of the action, the participant responsible for the action, and due date.

Action Item #C44: Pass along recreation use concerns and impacts to sensitive sites at Foreman Creek to the Recreation and Socioeconomics Work Group for consideration of future proposed recreation facilities.

Responsible: Facilitator/Patty Reece-Allen

Due Date: November 21, 2002

Action Item #C45: Distribute December 2002 Update

Responsible: DWR

Due Date: December 31, 2002